

BILL NO. Z-76-04-54

ZONING MAP ORDINANCE NO. Z-²~~Withdrawn~~

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. A-4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated an R-3 District under the terms of Chapter 36,
Municipal Code of the City of Fort Wayne, Indiana, 1946, as
amended by General Ordinance No. 2836 and amendments thereof;
and the symbols of the City of Fort Wayne Zoning Map No. ~~R-3~~ A-4
referred to therein, established by Section 9, Article III
of said Chapter as amended, are hereby changed accordingly,
to-wit:

Lot No. 18 except the West 45 feet thereof in
W. H. F. Moellering's Subdivision, generally
located on the northwest corner of Packard
Avenue and Harrison Street.

SECTION 2. This Ordinance shall be in full force and
effect from and after its passage, approval by the Mayor and
legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY, _____


CITY ATTORNEY

Read the first time in full and in motion by Huckols, seconded by Hings, and duly adopted: read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and ~~Public Hearing~~ to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 4-27-76 Charles W. Urban
CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage.
Passed (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-HIT
TOTAL VOTES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BURNS	_____	_____	_____	_____	_____
HINGA	_____	_____	_____	_____	_____
HUNTER	_____	_____	_____	_____	_____
HOSES	_____	_____	_____	_____	_____
HUCKOLS	_____	_____	_____	_____	_____
SCHMIDT, D.	_____	_____	_____	_____	_____
SCHMIDT, V.	_____	_____	_____	_____	_____
STIER	_____	_____	_____	_____	_____
TALARICO	_____	_____	_____	_____	_____

DATE: _____
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197____

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197____, at the hour of _____ o'clock _____ H., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ H., E.S.T.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 27, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-04-54; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 17, 1976; and,

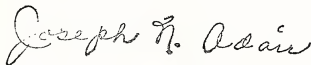
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted by the Fort Wayne City Plan Commission.

Certified and signed this
25th day of May, 1976.



Joseph N. Adair
Secretary

Bill No. Z-76-04-54

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

Amending the City of Fort Wayne Zoning Map No. A-4

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Withdrawn PASS.

John Nuckols - Chairman

Paul M. Burns - Vice-Chairman

Vivian G. Schmidt

Winfield C. Moses, Jr.

Donald J. Schmidt

John Nuckols
Paul M. Burns
Vivian G. Schmidt
Winfield C. Moses Jr.
D. Schmidt

CONCURRED IN

DATE 6/8/76 CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

GENERAL FUND

No 060

FT. WAYNE, IND.

19 36

RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

\$

100

DOLLARS

AUTHORIZED SIGNATURE

Webster st.	21	15	6	8
	22	14	7	7
	23	R-2 ¹³	8	6
	24	12	9	1
	25	11	10	2
	45	13	R-2 ¹²	3
	46	14	10	4
	47	15	9	5
Webster st.	R-2	16	8	6
	48	18	7	
Packard Ave.				
	13	12	5	4
	14	11	R-2 ⁶	3
	15	10	7	2
	16	9	8	
	12	7	6	1



To be changed from R-2 to R-3

4-7-76

A-4

LS.

2-76-04-54

N



TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We Paul Bailey

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-2 district to a/an R-3 district the property described as follows:

Lot # 18 except the West 45' thereof in W. H. F. Moellering's Subdivision

of Lots Numbered 1, 2, 3, 4, 5, 21, 22, 23, 25, 26, 27, 28 of Cours Subdivision

of ^{BARNETT'S} ~~Francis~~ Outlots in Number 10 and 13 in the West 1/2 of the Northeast

1/4 of Section 14, in Township 30 North, Range 12 East, in the City of Fort

Wayne, Allen County, Indiana.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/we are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Paul Bailey

1229⁴² Rudisill

P. H. Wayne

(Name)

(Address)

(Signature)

Legal Description Checked By: _____

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Paul Bailey

(Name)

1229⁴² Rudisill

(Address)

745-2144

(Telephone Number)

HELMKE, BEAMS, BOYER & WAGNER

COUNSELORS AT LAW

309 STANDARD BLDG.

FORT WAYNE, INDIANA 46802

WALTER E. HELMKE
GLEN J. BEAMS
WALTER F. HELMKE
R. DAVID BOYER
ROBERT A. WAGNER
W. PAUL HELMKE, JR.

TELEPHONE
422-7422
(AREA CODE 219)

February 20, 1976'

Orel H and Daisey E. Bailey
1229 W. Rudisill
Fort Wayne, Indiana

Re: Lot No. 18 except the West 45' thereof in W. H. F.
Moellering's Subdivision of Lots Numbered 1, 2, 3, 4, 5,
21, 22, 23, 23, 25, 26, 27, 28 of Cours Subdivision of
Braneets Outlots Number 10 and 13 in the West 1/2 of
the Northeast 1/4 of Section 14, in Township 30 North,
Range 12 East, in the City of Fort Wayne, Allen County,
Indiana.

Dear Orel & Daisey:

We have examined an Abstract of Title to the above captioned
real estate and submit herewith our opinion as to the title thereto.

1. Abstract continuation: This abstract was last continued
and certified by Dreibelbiss Abstract of Title Company, Inc., on
February 10, 1976 at 5:00 P.M.

2. Title: We find title as of the above date of record was
vested in Ray M. Grote and H. Margaret Grote, husband and wife and
over 18 years of age, as shown at Item 93 of the abstract, subject
to the objections, encumbrances and comments hereinafter set forth.

3. Plat: At Item 41 of the abstract is a plat of the above
captioned subdivision. Lot 18 is shown to have a frontage of 37 1/2
feet on Harrison Street and a frontage of 132 1/2 feet along Cours
Street to a 12 foot alley on the west. According to the legal
description, however, the west 45 feet of the lot are not involved
in this sale. A survey dated February 9, 1976 was furnished
which indicates the property being purchased by you has a depth
along Harrison Street of 37.5 feet and a depth along Packard Ave
of 87.5 feet. The survey also shows that a fence along the west
side of the property encroaches on the adjoining property by six

5-18th 1976

Bill No. 2-76-04-54

✓ Owl Bailey which to keep
the Goring Cat 3232 Harrison
R2

Owl Bailey
745-2144

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance3-76-04-54DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSIONSYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the
following described property:Lot # 18, except the west 45 feet of W. H. F. Moellering's Subdivision, generallylocated on the northwest corner of Packard Avenue and Harrison Street.From "R2" to "R3"EFFECT OF PASSAGE Petitioners are requestion a rezoning from an "R2" District,Two family residential to an "R3" District - Multiple Family Residential -The "R3" District permits offices and studios, following approval by the Board
of Zoning Appeals.EFFECT OF NON-PASSAGE Property would remain an "R2" District.MONEY INVOLVED (Direct Costs, Expenditures, Savings) noneASSIGNED TO COMMITTEE (J.N.) Regulation #1